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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/680,903

10/08/2003

Karen M. Kraus

10541-1762

6375

29074

7590

03/21/2006

EXAMINER

LEE, GUNYOUNG T

VISTEON

C/O BRINKS HOFER GILSON & LIONE

PO BOX 10395

CHICAGO, IL 60610

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/680,903

Applicant(s)

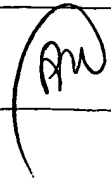
KRAUS ET AL.

Examiner

Gunyoung T. Lee

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/21/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/14/2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 21, 2006 has been entered.

Amendment

2. Applicant's amendment filed on February 21, 2006 has been entered:
- Claim 1 has been amended;
 - Claims 1-26 are still pending in this application.

Claim Objections

3. Claim 1 is objected to because of the following informality: the phrase "ambient light" in line 9 of claim 1 renders the claim indefinite, because the ambient light is not well described in both specification and claims. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. The claims must be given their broadest reasonable interpretation. See MPEP § 2111.

7. A preamble is not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure (see MPEP § 2111). The information in the preamble of claim 1 is not further given any patentable weight.

8. The term that suggests or makes optional (e.g. "adapted to" or "whereby") but does not limit a claim to a particular structure is not given any patentable weight (see

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MPEP § 2106). The statements with optional term “**whereby**” in lines 14-16 of claim 1 are not further given any patentable weight.

9. Claims 1-7, 10-15, 18-20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry et al. (US 5,911,492) in view of Prideaux et al. (US 2,561,885).

10. Perry et al. disclose a illuminated instrument (display) system (Fig. 1)

11. In regards to claims 1-7, 10-15, 18-20 and 25, as best understood by Examiner, Perry et al. disclose:

- A first plate (Fig. 1, 22) having a thickness and defining opposed first and second surfaces (claim 1);
- Wherein portions of said plate (Fig. 1, 22) defining an outer peripheral edge and an inner peripheral edge, the inner peripheral edge further defining a central region (27) (claim 1);
- Wherein the inner peripheral edge is obviously configured to receive light (claim 1);
- Indicia formed (Fig. 1, 24) (col. 1, lines 65-66) (claim 1);
- A LED light source (Fig. 1, 26) located within said central region (27) (claims 1, 3);
- A support (Fig. 1, 16) coupled to the plate (22) so as to support the plate (22) (claim 1);
- Wherein the light source (Fig. 4, 26) is an circular LED array (col. 2, lines 62-64) and is centrally located within the inter peripheral edge (claims 2, 4, 5);

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- Wherein the plate (Fig. 1, 22) is transparent (col. 1, lines 64-65) and is obviously plastic (col. 1, line 16) (claims 10, 11);
- Wherein the first and second surfaces are supported by the support (Fig. 1, 16) so as to be spaced from any surfaces of the instrument panel (12) (claim 12);
- Wherein the support (Fig. 1, 16) includes a housing (28) located at the center of the plate (22) (claims 13, 19);
- Wherein the support (Fig. 1, 16) extends generally perpendicularly with respect to a plane defined by the plate (22) (claim 14);
- Wherein a part of the support (Fig. 1, 16) extends generally parallel with respect to a plane defined by said plate (22) (claim 15);
- Wherein the display system (Fig. 1, 10) is obviously at least one selected from the group consisting of a fuel gage, an oil pressure gage, an engine temperature gage, a speedometer, a tachometer and an audio face plate (col. 1, lines 58-59) (claim 18);
- Wherein the plate (Fig. 1, 22) and indicia define a gage plate (24) (col. 1, lines 65-66) (claim 20);
- Wherein the individual light source (Fig. 1, 26) is offset in the central region (27) with respect to the inner peripheral edge (claim 25).

12. Perry et al. do not express disclose:

- Indicia formed into the plate and configured to pick up the light supplied through the thickness of the plate (claim 1);

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- Wherein the indicia is formed one of the first and second surfaces of the plate (claim 6);
- Wherein the indicia is etching (claim 7).

13. Prideaux et al. disclose an illuminated dial (col. 1, lines 1-2) with a light transmitting plate (col. 1, lines 1-6) having indicia formed into one of the first and second surfaces of the plate (col. 1, lines 6-8) and configured to pick up the light supplied through the thickness of the plate (col. 1, lines 10-13), wherein the indicia is etching (col. 1, lines 8-9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the illuminated instrument system of Perry et al. using the indicia as shown in Prideaux et al. to form the indicial directly on the surface of the light transmitting plate for the purpose of providing good visibility with the indicial. Forming the indicia directly on the surface of the light transmitting plate will also reduce the thickness of the instrument, which is very desirable in the design of a portable instrument.

14. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry et al. (US 5,911,492) and Prideaux et al. (US 2,561,885) as applied to claim 1 above, and further in view of Hardesty (US 3,131,670).

15. In regards to claims 8-9, Perry et al. and Prideaux et al. disclose the invention substantially as claimed except for an internally reflective outer perimeter edge (claim 8) with a beveled shape (claim 9). Hardesty discloses an illuminated hand instrument indicating devices having a pair of beveled edges (Fig. 1, 16, 18) each coated with light

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reflecting material (20, 22). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the beveled internally reflective edge of Hardesty for illuminated instrument system of Perry et al. modified by Prideaux et al. to provide recirculation within a transparent plate for the purpose of providing a high intensity uniform light flux to the desired areas (indicia).

16. Claims 16-17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry et al. (US 5,911,492) and Prideaux et al. (US 2,561,885) as applied to claims 1 and 13 above, and further in view of Matumoto (US 6,302,551).

17. In regards to claims 16-17 and 26, Perry et al. and Prideaux et al. disclose the invention substantially as claimed including:

- Wherein the housing (Fig. 1, 28) encloses a gauge mechanism (20) (claim 16);
- Wherein the gauge mechanism (Fig. 1, 20) is coupled to a pointer (34), the pointer (34) being movably positioned adjacent to the first face (col. 3, lines 35-36) (claims 17, 26).

18. However, Perry et al. and Prideaux et al. do not disclose expressly:

- The gauge mechanism has a stepper motor (claim 16);
- A second plate supported by the support, the second plate corresponding in size and shape to the first plate, the first and second plates cooperating to define a cavity (claim 26);

19. Matumoto discloses a meter for vehicle (Fig. 11) having a stepper motor (Fig. 11, 22 and col. 11, lines 45-48) and a second plate (80) supported by the support (90, 91),

and the first (27) and second (80) plates cooperating to define a cavity. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the stepper motor and the second plate of Matumoto for illuminated instrument system of Perry et al. modified by Prideaux et al. to operate and support the pointer for the purpose of providing operation information, such as speed, pressure and engine temperature, to the driver more precisely, which will increase the safety of the driver.

20. Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry et al. (US 5,911,492) and Prideaux et al. (US 2,561,885) as applied to claim 1 above, and further in view of Bernhard (US 6,502,976).

21. In regards to claims 21-22, Perry et al. and Prideaux et al. disclose the invention substantially as claimed except for an incandescent or florescent bulb as a light source. Bernhard discloses an illumination apparatus with an illuminator which is selected from the group of incandescent lights, florescent lights, LEDs, fiber optic lights, and chemically illuminating material (col. 9, lines 51-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the light source (incandescent or florescent bulb) of Bernhard for illuminated instrument system of Perry et al. modified by Prideaux et al. for the purpose of providing desired illumination with a conventional light source for low cost of manufacturing and maintenance.

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22. Claims 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perry et al. (US 5,911,492) and Prideaux et al. (US 2,561,885) as applied to claim 1 above, and further in view of Scardilli et al. (US 4,559,582).

23. In regards to claim 23, Perry et al. and Prideaux et al. disclose the invention substantially as claimed except for an electroluminescent material as a light source. Scardilli et al. disclose an indicator illuminated with electroluminescent lighting (Fig. 1, 21, 26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the electroluminescent lighting of Scardilli et al. for illuminated instrument system of Perry et al. modified by Prideaux et al. to provide various level of illumination by controlling the power level to the electroluminescent lighting, for the purpose of providing proper illumination based on the lighting condition in the surrounding area to increase the visibility of the instrument.

24. Claims 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perry et al. (US 5,911,492), Prideaux et al. (US 2,561,885) and Scardilli et al. (US 4,559,582) as applied to claims 1 and 23 above, and further in view of Sell (US 5,047,761).

25. In regards to claim 24, Perry et al., Prideaux et al. and Scardilli et al. disclose the invention substantially as claimed except for a beveled inner peripheral edge of a faceplate. Sell discloses a pointer illuminated instrument having a beveled inner peripheral edge (Fig. 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the beveled inner edge of Sell for illuminated instrument system of Perry et al. modified by Prideaux et al. and Scardilli et

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al., for the purpose of maximizing the light entrance into the entering face of a light transmitting plate for a high intensity illumination with a uniform distribution on a desired area.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Matumoto (US 6,461,006) shows a measuring instrument having a circular array of LEDs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gunyoung T. Lee whose telephone number is (571) 272-8588. The examiner can normally be reached between 7:30 - 4:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached at (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GTL
3/15/2006



JOHN ANTHONY WARD
PRIMARY EXAMINER